

FEDERAL BUREAU OF INVESTIGATION

REPORTING OFFICE JACKSON	OFFICE OF ORIGIN JACKSON	DATE 11/19/64	INVESTIGATIVE PERIOD 10/8 - 11/18/64
TITLE OF CASE CARL HOLLEY, Deputy Sheriff, Madison County, Mississippi; [redacted], Deputy Sheriff, Madison County, Mississippi; [redacted], Officer, Mississippi Highway Safety Patrol; UNSUB; STEPHEN LYNN SMITH; RUFUS ERIC MORTON; ROBERT JOE ELLIS; MELVIN ROY MC DAVIS - VICTIMS		REPORT MADE BY SA HORACE P. BECKWITH	TYPED BY mrk
		CHARACTER OF CASE CR	FOIA(b) (7) - (C)

photo
CC TO: *SS - TSD*
REQ. REC'D *5-483*
JUN 30 1983
ANS. *Robert Joseph Ellis*
BY: *Jg 1 kmh*

REFERENCES: Report of SA HORACE P. BECKWITH dated 9/12/64 at Jackson.
Bureau airtels to Jackson 10/16/64 and 11/12/64.
Jackson airtels to Bureau 10/19/64 and 11/17/64.

- C -

ADMINISTRATIVE:

All persons contacted in this matter were advised that this investigation was being conducted at the special request of Mr. BURKE MARSHALL, Assistant Attorney General, Civil Rights Division, U. S. Department of Justice.

APPROVED <i>[Signature]</i>	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN SPACES BELOW	
COPIES MADE: ③-Bureau (44-25956) 1-USA, Jackson 2-Jackson (44-53)		44-25956	19 REC-48
U. S. DEPT. OF JUSTICE FBI		NOV 24 1964 NOV 28 1964	
DISSEMINATION RECORD OF ATTACHED REPORT		NOTATIONS	
AGENCY	1cc CRD	1cc CRD	
REQUEST RECD.	RECEIVED		
DATE FWD.	11-30-64	11-30-64	
HOW FWD.	6-94-G	6-94-G	
BY	ESM/cac	ESM/cac	
DEC 7 1964		1cc of Synopsis - CR Unit	

JN (44-53)
HPB/mrk

The originals of the FD-302's in this report which indicate the results of reinterviews with victims are included in Jackson File 44-708 entitled "CANTON WHITE CITIZENS COUNCIL, Subject - OTHA WILLIAMS, et al - VICTIMS, VOTER INTIMIDATION, CR - EL."

An additional copy of this report is being provided the Bureau inasmuch as this case is one of the 86 incidents of racial violence listed by the United States Commission on Civil Rights and a copy of this report might be provided this Commission.

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UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

FOIA(b) (7) - (C)

Copy to: USA, JACKSON

Report of: SA HORACE P. BECKWITH

Date: 11/19/64

Office: JACKSON

Field Office File #: JACKSON 44-53

Bureau File #: 44-25956

Title: CARL HOLLEY, Deputy Sheriff, Madison County, Mississippi;
[redacted], Deputy Sheriff, Madison County, Mississippi;
[redacted] Officer, Mississippi Highway Safety Patrol; UNKNOWN
SUBJECT; STEPHEN LYNN SMITH; RUFUS ERIC MORTON; ROBERT JOE ELLIS;
MELVIN ROY MC DAVIS - VICTIMS

Character: CIVIL RIGHTS

Synopsis: U. S. Department of Justice requested reinterviews with victims and answers to specific questions. MELVIN ROY MC DAVIS reinterviewed at Las Vegas, Nevada, furnished signed statement indicating was not beaten or struck by any of officers, but was pushed by an officer. MC DAVIS described four vehicles that came to scene. MC DAVIS saw SMITH being hit by officers and identified photo of [redacted] as being one of officers at scene. SMITH reinterviewed at Iowa City, Iowa, furnished signed statement. SMITH identified photo of HOLLEY as officer who stopped truck in which SMITH was riding. SMITH identified photo of [redacted] as officer who struck him and identified photo of [redacted] as being at scene. ROBERT JOE ELLIS reinterviewed, furnished signed statement indicating had not seen SMITH or MORTON beaten, only observed blood-stained clothing, scars, and bruises approximately four days after date of incident. ELLIS not certain of photo identification, but selected photos of [redacted], Constable, Madison County, and HOLLEY as possibly looking familiar to individuals at scene. RUFUS ERIC MORTON reinterviewed furnished signed statement positively identifying HOLLEY as individual who beat him and [redacted] as one who beat SMITH. [redacted] also kicked MORTON. [redacted] kicked MC DAVIS out of rear of truck.

UNITED STATES DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION

FOIA(b) (7) - (C)

Copy to: USA, JACKSON

Report of: SA HORACE P. BECKWITH

Office: JACKSON

Date: 11/19/64

Field Office File #: JACKSON 44-53

Bureau File #: 44-25956

Title: CARL HOLLEY, Deputy Sheriff, Madison County, Mississippi;
[redacted], Deputy Sheriff, Madison County, Mississippi;
[redacted] Officer, Mississippi Highway Safety Patrol; UNKNOWN
SUBJECT; STEPHEN LYNN SMITH; RUFUS ERIC MORTON; ROBERT JOE ELLIS;
MELVIN ROY MC DAVIS - VICTIMS

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JN 44-53

AUSA, Jackson, Mississippi advised would prefer any prosecutive opinion come from Department of Justice inasmuch as reinvestigation has been requested by Department.

- C -

DETAILS:

By letter dated September 22, 1964 to the Director, Federal Bureau of Investigation, from Mr. BURKE MARSHALL, Assistant Attorney General, Civil Rights Division, U. S. Department of Justice, a request was made to conduct reinterviews with the victims in this case. The victims' answers to particular questions were to be obtained.

FEDERAL BUREAU OF INVESTIGATION

Date October 16, 1964

1

MC DAVIS: The following statement was furnished by MELVIN ROY

"Las Vegas, Nevada
October 13, 1964

"I, Melvin Roy Mc Davis make the following voluntary statement to Donald M. Holland and Curtis P. Irwin, who have identified themselves to me as Special Agents of the F.B.I.

"I am unable to further identify the officers involved in the incident which occurred near Jackson, Mississippi on July 15, 1964.

"I want to make it clear that I was not beaten or struck by any of the officers. The large man, 6 feet tall, 250 pounds who arrived in the fourth car pushed me and made me stumble but I did not fall to the ground. I was not physically hurt.

"Four cars arrived at the scene of the incident. The first car to arrive was a white car with a big antenna. It had two red lights in front. It contained a man and a woman. The man got out of the car. He was dressed in grey pants, white shirt, long sleeved, a red patch on the left shoulder. He wore a small badge on his shirt and a Mississippi badge on his cap.

"The second car was white with maps of Mississippi on each front door. It contained two men, one dressed in grey uniform. The trousers had a red stripe. the other wore just pants & shirt and carried a gun in a holster. The second man appeared drunk.

"The man seemed to be drunk because of the way he looked and talked.

On 10/13/64 at Las Vegas, Nevada File # LV 44-77
by SA's CURTIS P. IRWIN
and DONALD M. HOLLAND DMH:rmb Date dictated 10/14/64

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"The third car to arrive was the same as the second. It contained one man. He did not have a uniform on but a suit was hanging in the back seat of his car. He got out of the car, talked to the other men for about five minutes, got back into the car and left.

"The fourth car was also white and one man was in it. He was a large man, 6 feet tall about 250 pounds, black hair. He had a gun in his back pocket. He is the man who pushed me and made me get out of the back of the truck.

"None of the four of us who were in the truck were intoxicated. Smith may have had some beer before we left but I didn't see him. The officers said he may have had some beer.

"Three of the officers put Smith in one of the cars and got in with him. I could see them hitting him when a car passed and the headlights shown on the car. The other officer stayed outside with me and the other two.

"All three officers got out of the car and Ellis and I were told to walk back to Jackson. When we left Smith was still in the officers car.

"I knew all three of the other persons who were in the truck with me before July 15, 1964. I had worked with all of them before.

"I did not attend the Preliminary Hearing held before the Justice of the Peace on July 16, 1964 and I have no knowledge of a trial set for July 27, 1964.

"The truck contained voter registration blanks, clothing & shoes and books. I helped load the truck before we left Jackson.

LV 44-77

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"this statment has been read to me By Mr. Holland and it is correct.

"/s/ Melvin Roy Mc Davis

Witnessed:

Donald M. Holland, Special Agent, FBI, Las Vegas,
10/13/64

Curtis P. Irwin, Jr., Special Agent, FBI, Las
Vegas, Nev., 10/13/64."

The above statement was obtained under adverse conditions and MC DAVIS had difficulty reading the handwriting. He, therefore, requested the Agent to read it to him.

MC DAVIS advised that he resides at 1932 Lake Mead Boulevard West, Apartment 3, with his mother, MYRTHA JONES. He stated that he is a student at Gibson Junior High School, Las Vegas, Nevada.

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MELVIN ROY MC DAVIS, 1932 Lake Mead Boulevard West, Las Vegas, Nevada, was contacted on October 27, 1964, at his home. Photographs of CARL W. HOLLEY, also known as "Bruno", County Patrolman, District Number 3, Madison County, Mississippi; [redacted], Mississippi Highway Safety Patrol and [redacted] Deputy Sheriff, Madison County, Mississippi, were exhibited to MC DAVIS.

FOIA(b)(7) - (C)

MC DAVIS was unable to recognize the photograph of HOLLEY or O'NEIL.

He identified the photograph of [redacted] as being the man who arrived at the second car and who was dressed in full uniform the night of July 15, 1964, when MC DAVIS and others were stopped by Police Officers near Jackson, Mississippi.

On 10/27/64 at Las Vegas, Nevada File # LV 44-77
by SA ALLAN W. HANSEN
SA DONALD M. HOLLAND:DMH/bmr Date dictated 10/28/64

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FEDERAL BUREAU OF INVESTIGATION

Date October 22, 1964

1

STEPHEN LYNN SMITH was interviewed at his apartment, 307 South Capitol Street, Apartment #4, Iowa City, Iowa, and furnished the following statement:

"Iowa City, Iowa
October 21, 1964

"I, Stephen Lynn Smith, make the following voluntary statement to Luther M. Senter and Harold W. Brueggeman, who have identified themselves to me as Special Agents of the Federal Bureau of Investigation, U. S. Department of Justice.

"On July 17, 1964, I furnished a written statement to Special Agents of the Federal Bureau of Investigation at Jackson, Mississippi, regarding events surrounding my arrest by police officers near Jackson, Miss., on the evening of July 15, 1964. Today I have reviewed a copy of that statement, and I have been exhibited photographs of eight police officers. From this group of photographs I have positively identified a photograph of Carl W. Holley as being the person I referred to in my statement of July 17, 1964 as 'Holby.' Holley is the officer who stopped the truck in which I was riding on the evening of July 15, 1964, with my friends, Eric Morton, Robert Ellis, and Melvin Roy McDavis. Holley had a woman with him in his car, which was a fairly new white Pontiac.

"I have also positively identified a photograph of [redacted] who is described on the back of the photo as a Deputy Sheriff of Madison County, Miss., as being the person I referred to in my statement of July 17, 1964, as 'Number one man.' [redacted] drove a light blue Pontiac, and he is the officer who put me in the Highway Patrol car, and who struck me, as I described in my statement of July 17, 1964. We were alone in the car when he struck me, and all of the others, both the officers and my companions, were standing about twenty feet in front of the Highway Patrol car when he hit me with his gun, and they were also in that same position when he struck me with a flashlight and pointed his gun at my head. My statement of July 17, 1964, contains all I can recall regarding statements made by [redacted] when he struck me, and his actions at that time.

FOIA(b) (7) - (C)

On 10/21/64 at Iowa City, Iowa File # OM 44-227
by SAs LUTHER M. SENTER and
HAROLD W. BRUEGGE MAN:mrh Date dictated 10/21/64

"I have also selected from the above mentioned group of photographs one which is identified on the back as being [redacted] of the Mississippi Highway Patrol. I believe this is the officer who was second to arrive after Holley stopped us, and who is referred to in my statement of July 17, 1964 as driving a white Pontiac. I believe that this is the officer who told [redacted] 'You had better not,' when [redacted] was holding a gun to my head. I am not positive of this identification, however.

"To further elaborate on my statement of July 17, 1964, I wish to state that I had not been drinking alcoholic beverages on the night of July 15, 1964. I think Eric Morton might have had one drink of gin before we left Jackson, Miss. that evening, but I am not certain of this matter. I am positive that Morton was not intoxicated. I do not think that Melvin McDavis and Robert Ellis had anything alcoholic to drink, and I am positive they were not intoxicated.

FOIA(b) (7) - (C)

"The material which we were transporting in the pick-up truck which I was driving on the evening of July 15, 1964 consisted of sealed boxes of freedom registration forms, literature relating to registration matters, and pamphlets on voting rights. I do not know if Carl W. Holley, [redacted], or the Mississippi Highway Patrolman who was present at the time of my arrest and immediately thereafter, took any of this material from the truck. I do know that I saw this truck two days after my arrest, and I noted that the sealed boxes had been broken open. If any material was taken from the truck, it was only a small amount, as I observed that the boxes appeared to be full.

"I did not know Carl W. Holley or [redacted] or the Mississippi Highway Patrolman who were present when I was arrested and beaten on the evening of July 15, 1964, nor have I had any contact with them subsequent to that time, except that I saw them at a hearing before a Justice of the Peace on July 16, 1964.

"At my hearing on July 16, 1964, none of the officers connected with my arrest testified. My attorney was Marvin Brademan, and as I recall, he asked for a continuance, and asked that bail be set. I think he also said that the interested officers could testify if they desired, and someone said they did not desire to testify. I was charged with reckless driving and resisting arrest. My trial was originally scheduled for July 27, 1964, but it has been continued, and is still pending. Attorneys for the Council of Federated Organizations are handling the matter, and it is my understanding that they are attempting to transfer the trial to another court.

"I have read this statement and it is true to the best of my knowledge.

/s/ Stephen Lynn Smith

"Witness:

"/s/ Harold W. Brueggeman
Special Agent, FBI
Omaha, Nebr.
10-21-64

"/s/ Luther M. Senter
Special Agent, FBI
Omaha, Nebr.
10/21/64."

In addition to the above, SMITH stated that he is unable to identify the officer who struck ERIC MORTON, while SMITH was in the Highway Patrol car, following his arrest on July 15, 1964. He stated he was aware MORTON was being struck, but could not see who struck him. He stated MORTON was about twenty feet away from the car in which SMITH was sitting at the time.

FEDERAL BUREAU OF INVESTIGATION

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Date October 9, 1964**ROBERT JOE ELLIS furnished the following statement:****"Jackson, Miss.****"10/9/64**

"I ROBERT JOE ELLIS hereby make the following free and voluntary statement to JAMES ROYCE PECK and to JOSEPH M. CONLEY, who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that information furnished could be used in a court of law.

"My name is ROBERT JOE ELLIS, I was born on 8/1/47 at New York City, New York, and I reside at 1217 Topp Street, Jackson, Mississippi.

"The information which I am making available pertains to an incident which occurred on 7/15/64 in Madison County, Mississippi, and this additional information being furnished is meant to corroborate information set forth by myself in a signed statement dated 7/17/64. The incident in question concerns beatings received by STEPHEN LYNN SMITH and RUFUS ERIC MORTON at the hands of unknown persons, believed to be law enforcement officers in the area of Madison County, Mississippi. I did not see anyone give a beating to any individual on this occasion; I only observed the blood-stained clothing and the scars and bruises about the head area of these persons approximately four days after the date of the incident.

"I am unable to furnish any of the names of persons who arrived in vehicles at the location on Highway 55 where a rented vehicle of the Council of Federated

On 10/9/64 at Jackson, Mississippi File # JH 44-708

SAs JAMES ROYCE PECK &

JOSEPH M. CONLEY:mh

by

Date dictated 10/9/64

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Organization was stopped on 7/15/64. I am only able to describe these persons as I observed them and as I now recall my observations.

"Four vehicles arrived at the location where the rented truck was stopped, and all of these vehicles were 1964 Pontiac Bonneville automobiles. Vehicles which I shall refer to as numbers 1, 2, and 3, were white in color, while vehicle 4 was blue in color. I failed to observe whether any of these vehicles bore a marking of a duly constituted law-enforcement agency.

"Vehicle #1 carried a white female and a white male, age about 50, 5'7" tall, 170 lbs., having grey hair. I am unable to describe the female. Vehicle #2 carried two white males described as 30, 6'0" tall, 150 lbs., black hair and 50, 5'7" tall, 170 lbs., having grey hair. Vehicle #3 carried a white male, age 30-34, 6'1" tall, 190-200 lbs., having dark hair. Vehicle #4 carried a white male, age 30, 6'0" tall, 275 lbs., having black hair. These white males wore street clothes except the occupant of vehicle #1 and the 30 year old male in vehicle #3, both of whom wore blue trousers and a white shirt as well as a badge of some sort.

"I am honestly unable to recall exactly which persons made any given remarks, although I can state that derogatory remarks were made to myself and others on this occasion by white males referred to above.

"As far as I could tell, none of these white males had been drinking; certainly none of the persons in my company had been drinking, including myself, STEPHEN LYNN SMITH, RUFUS ERIC MORTON, and MELVIN ROY MC DAVIS.

"I can furnish no information pertaining to a preliminary hearing held by the Justice of the Peace, except that I believe Mr. LEROY HANKINS presided at the hearing held on 7/16/64. I have no information about any trial held in this matter.

"Prior to the incident which occurred on 7/15/64 I had maintained no contact with any of the white males referred to above; as far as I know. I have not maintained any contact with any of these persons subsequent to the incident.

"At the time we stopped the rented truck on Highway 55, we were en route to Greenwood, Miss., transporting textbooks, clothing, and printed matter dealing with voter registration. The white man who arrived in vehicle #4 entered this truck and examined the goods we were transporting.

"The above information represents all that I honestly can recall which pertains to the incident in question.

"I have read the dent 6 perpe statement and it truy and correct to the best of my knowledge."

"/s/ Robert Joe Ellis"

"Witnessed:

"/s/ James Royce Peck, Special Agent, Federal Bureau of Investigation, Birmingham, Alabama, 10/9/64"

"/s/ Joseph M. Conley, S.A., FBI, Mobile, Ala., 10/9/64."

JR 44-708

The following background information and descriptive data was obtained through observation and interview:

Name:	ROBERT JOE ELLIS
Sex:	Male
Race:	Negro
Age:	Born FOIA(b) (6)
Height:	New York, New York
Weight:	5'6"
Complexion:	140 pounds
Hair:	Dark
Eyes:	Black
Occupation:	Brown
Education:	Student
Residence:	Senior at Lanier High School, Jackson, Mississippi
Guardian:	1217 Top Street, Jackson, Mississippi
Parents:	Grandmother - MADDIE ELLIS, 1217 Top Street, Jackson, Mississippi
	DAVID and EDNA BAKER, Oakland, California.

FEDERAL BUREAU OF INVESTIGATION

1Date November 3, 1964

ROBERT JOE ELLIS, 1217 Topp Street, furnished the following information after being advised of the identity of the interviewing agents. He was informed by Special Agent PECK that the information furnished could be used in a court of law. He stated all of the information furnished was true and correct to the best of his knowledge, but added that he preferred not to furnish the same information in signed statement form.

ELLIS stated that the information being furnished pertained to an incident occurring on July 15, 1964 in Madison County, Mississippi and bore upon information previously furnished in the form of signed statements on July 17, 1964 and October 9, 1964.

ELLIS was furnished in excess of ten photographs which appeared in the Madison County Herald Newspaper depicting Madison County law enforcement officers and identifying them by name. ELLIS afterwards picked out a photograph of a white male identified by this newspaper as [redacted] Constable, District One, Madison County, Mississippi, appearing on an unknown date in this newspaper as "Looking like but I'm not for sure" a fifty year old white male, who traveled in the company of an unknown white female and arrived at the location where a rented Council of Federated Organizations (COFO) truck had stopped on Highway 55. ELLIS stated that he did not know anyone by the name of [redacted] ELLIS also picked out a photograph of a white male appearing in the August 23, 1964 edition of the above newspaper and identified therein as CARL W. "Bruno" HOLLEY, County Patrolman, District Three, Madison County, Mississippi, as "Looking something like but I'm not for sure" a white male who traveled in a second vehicle to arrive at the location where a rented COFO truck had stopped, described as age fifty, 5 feet 7 inches tall, 170 Pounds, having grey hair. ELLIS stated that he believed he had heard that one CARL HOLLEY was a Madison County law enforcement officer but did not have any personal knowledge of this officer.

FOIA(b) (7) - (C)

On 10/30/64 at Jackson, MississippiJN
File # 44-706by SA's JAMES ROYCE PECK and
JOSEPH H. CONLEY/mrkDate dictated 10/30/64

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FEDERAL BUREAU OF INVESTIGATION

Date October 8, 1964

RUFUS ERIC MORTON, permanent address 7832 Wykes Street, Detroit, Michigan, furnished the following information:

"Jackson, Mississippi
"10/8/64

"I RUFUS ERIC MORTON hereby make the following free and voluntary statement to JAMES ROYCE PECK and to JOSEPH M. CONLEY who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that information furnished by myself could be used in a court of law.

"My name is RUFUS ERIC MORTON. I was born on FOIA(b) (6) at Detroit, Michigan, and I presently reside at 1017 Lynch Street, Jackson, Mississippi. The information being furnished by myself pertains to the incident involving a beating sustained by myself and others on 7/15/64 near Jackson, Mississippi.

"Basic facts pertaining to this incident were earlier furnished by myself in the form of a signed statement dated 7/17/64; this additional information is meant to corroborate the fact that I am able to state with absolute certainty that Deputy Sheriff CARL HOLLEY beat myself about the face with a pistol. Deputy Sheriff FOIA(b) (6) beat STEPHEN LYNN SMITH and kicked me in my chest, shoulder and back, and Mississippi Highway Safety Patrol Officer FOIA(b) (6) kicked MELVIN ROY MC DAVIS out of the rear of the rented truck, used by the Council of Federated Organizations, in which MC DAVIS had been riding.

"Only those persons named above were responsible for beatings given and injuries sustained in connection

On 10/8/64 at Jackson, Mississippi File # JN 44-708

SAs JAMES ROYCE PECK &

JOSEPH M. CONLEY:mh

by _____ Date dictated 10/8/64

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with the incident in question.

"Concerning any remarks made by the above persons, I recall, as well as I am able, that HOLLEY told me to address him as "Sir" if I wanted to return to my home in Detroit, Michigan, with my teeth.

"I do not recall that any additional remarks were made; however I may simply be overlooking things that were said just because I do not recall specific comments made.

"Concerning the particulars of a beating received by STEPHEN LYNN SMITH from Deputy Sheriff [] I am aware that only SMITH and [] were in the car at the time and that the vehicle was a patrol car of the Mississippi Highway Safety Patrol. During this period I was standing about a foot in front of this vehicle while HOLLEY and [] stood nearby.

"As I recall, four vehicles arrived in connection with the incident. The first car carried HOLLEY and a white female whose identity is unknown to me. The second vehicle to arrive carried [] and no one else. The second car mentioned had any official police-type markings to identify the vehicle as an automobile of a duly constituted law enforcement office. The third car to arrive was a vehicle of the Mississippi Highway Safety Patrol which carried [] and no one else. The fourth vehicle carried an unknown white male, by himself, and I have no idea of his identity even to this date. N^{FOIA}(b)(7) - (C)

"None of the persons who suffered beatings, kickings, and injuries had been drinking; however of the persons giving the beatings, [] appeared to me to be under the influence of alcohol.

"During a preliminary hearing held before the Justice of the Peace on 7/16/64 in Madison County, Mississippi, the only discussion held by anyone to my knowledge was pertaining to the amount and condition of our bond, set for SMITH, and myself, the credentials of the attorneys present to represent these persons named, and the motions of the lawyer made against SMITH and myself. No comment was made by any police officer, nor was any statement made, except a derogatory comment made by one of the officers concerning the late President KENNEDY. There was no trial held on 7/27/64 regarding this matter; nor has there been a trial to date; nor is there a trial scheduled in this matter at Madison County, Mississippi. I have no knowledge of the present status of this matter in this county. I have no information concerning a reckless driving charge made against SMITH, nor do I know whether or not testimony was offered for the state in connection with this charge or the identity of person or persons giving testimony.

"Formerly I had maintained no contact with any of the persons I have named as responsible for beatings or kickings. Since the incident, I have likewise maintained no contact. Both [] and HOLLEY looked through the rear of our rented truck at the material being transported, which consisted of textbooks, miscellaneous books, clothing articles, and voter registration materials. [] crawled inside the truck and examined in particular detail the articles identified above.

"The above information represents all that I can honestly recall concerning this matter, except the fact

that UNCODED was wearing the uniform of the Mississippi Highway Safety Patrol while the other persons named wore street clothes.

"I have read the above statement consisting of six pages and it is true and correct to the best of my knowledge."

"/s/ Rufus Eric Morton"

"Witnesses:

"/s/ JAMES ROYCE PECK, Special Agent, Federal Bureau of Investigation, Birmingham, Ala., 10/8/64

"/s/ Joseph M. Conley, SA, FBI, Mobile, Ala., 10/8/64."

The following background information and descriptive data was obtained through observation and interview:

Name:	RUFUS ERIC MORTON
Race:	Negro
Sex:	Male
Place of Birth:	Detroit, Michigan
Date of Birth:	FOIA(b) (6)
Height:	6'1"
Weight:	170-pounds
Hair:	Black
Build:	Slim
Complexion:	Light
Eyes:	Brown
Marital Status:	Single
Occupation:	Student, Senior at Wayne State University, Detroit
Employment:	Lithographer
Service:	U. S. Army RA 16364766, 1951 to 1954 with service in Korea

JN 44-708

5

Residence:

7832 Wykes Street, Detroit,
Michigan

Relatives:

Father - Mr. Lee J. Morton
Mother - Mrs. Lee J. Morton

Arrests:

Claims no other arrests

JN (44-53)
HPB/mrk

On November 10, 1964 Miss CAROLYN THOMAS, Deputy Clerk, U. S. District Court, Southern District of Mississippi, Jackson, Mississippi, advised that no further information is contained in file after the original petition to remove the state cases against MORTON and SMITH were filed in July, 1964. THOMAS advised that the file number for MORTON's case filed July 24, 1964 is Criminal Action #3547 and the file number for SMITH's case filed July 29, 1964 is Criminal Action #3554.

On November 18, 1964 Assistant U. S. Attorney, E. DONALD STRANGE, Jackson, Mississippi, was contacted concerning this matter and advised that U. S. Attorney ROBERT HAUBERG was not available due to the fact he was in court in Biloxi, Mississippi. Mr. STRANGE stated that the office of the U. S. Attorney in Jackson would prefer not to render a prosecutive opinion in this case inasmuch as the reinvestigation of this matter had been requested by the U. S. Department of Justice. Mr. STRANGE stated that the U. S. Attorney's Office would prefer that the matter be considered by the Department.

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The National Archives
U.S. Federal Bureau
of Investigation

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RG 65: Federal Bureau
of Investigation**

44-HQ-25956